

U.S.S.N. 10/605,131

6

DKT 03058 (BWA 0258 PUS)

REMARKS

Claims 1-20 are currently pending in the above application.

Claims 1 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sampedro (U.S. Patent No. 4,692,053). Applicants respectfully traverse the Examiner's rejection.

Sampedro discloses a universal, direct drive fan coupling designed to attach a radiator cooling fan to a water pump of an internal combustion engine. The fan coupling is designed to efficiently replace the fan idling clutch and enables the elimination of any clutch mechanism normally found in an automotive type application which is positioned between the rotating shaft associated with the conventional cooling fan and a subsequently positioned and driven component of the circulation system such as the water pump.

With respect to claim 1, Sampedro does not disclose a method for testing a fan drive system for optimizing fan penetration in which a fan clutch is removed from the fan drive system. In fact, Sampedro specifically teaches away from utilizing a fan clutch at all (in fact, the fan coupling taught in Sampedro specifically replaces the clutch mechanism). Sampedro talks about its invention in terms of a fan clutch. As such, Sampedro does not teach each and every element of the method of claim 1, namely a fan clutch, which is necessary to sustain an anticipation rejection under 35 U.S.C. §102(b) of claim 1. For this reason alone, the rejection of claim 1, and dependent claims 2-13 therefrom, is improper. Reconsideration of claims 1-13 is thus respectfully requested.

Moreover, the present invention as described in claim 1 discloses a method for determining the proper fan penetration for a fan system including a clutch mechanism. The fan penetration fixture temporarily replaces the clutch mechanism strictly for testing the fan drive system to determine the optimum fan drive. After the optimum fan

U.S.S.N. 10/605,131

7

DKT 03058 (BWA 0258 PUS)

penetration is determined, the fan penetration fixture is removed and the clutch mechanism is reinserted prior to coupling the fan drive system to an engine. Sampedro does not disclose testing a fan drive system at a variety of fan penetrations to determine the optimum fan penetration for a fan drive system having a clutch mechanism. For this additional reason, Sampedro cannot anticipate method claim 1.

With respect to claim 14, Applicants disagree with the Examiner's contention that Sampedro teaches each and every element of the claimed invention necessary to sustain a rejection under 35 U.S.C. §102(b). However, in an effort to move this case towards allowance, Applicants herein have amended claim 14 to include the subject matter of claim 15 and have cancelled claim 15 without prejudice. Applicants note that the Examiner has previously indicated that such an amendment would result in the allowance of the claims amended accordingly. In addition, Applicants have amended dependent claims 16 and 20 to depend from amended claim 14. Reconsideration of claims 14 and 16-20 is respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-14 and 16-20 are allowable. The Examiner is invited to telephone the Applicants' undersigned attorney at (248) 223-9500 if any unresolved matters remain.

Respectfully submitted,

ARTZ & ARTZ, P.C.

By: Steven W. Hays
Steven W. Hays, Reg. No. 41,823
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

Dated: January 5, 2006